

Docket No.: 1289-002



1FW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT OPERATIONS

In re Application of: )  
**Orapin P. Rubino, et al** ) Group Art Unit:  
Serial No.: 10/728,196 ) Examiner: --  
Filed: December 4, 2003 )  
For: **METHOD OF PREPARING BIOLOGICALLY ACTIVE  
FORMULATIONS**

New York, NY 10036  
March 30, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is being filed under the provisions

of 37 CFR§1.97.

International Search Report  
March 19, 2004

Lists references cited by the ISA.

International Search Report  
September 6, 2005

Lists references cited by the ISA.

US Re. 32,307

US 4,292,298

US 4,588,366

US 4,617,191

US 4,783,337

US 4,820,521

US 4,826,688

US 4,891,230

US 4,895,733

US 4,898,737

US 4,900,557

US 4,994,279

US 5,011,640

US 5,049,394

THURMAN

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /G.H./

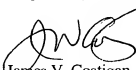
US 5,082,668  
US 5,084,287  
US 5,132,142  
US 5,229,135  
US 5,284,678  
US 5,292,461  
US 5,458,888  
US 5,549,912  
US 5,637,320  
US 5,709,885  
US 5,753,265  
US 5,783,215  
US 5,807,579  
US 5,807,583  
US 5,817,338  
US 5,891,474  
US 5,958,458  
US 6,077,544  
US 6,132,769  
US 6,132,771  
US 6,136,344  
US 6,171,619  
US 6,183,776  
US 6,197,347  
US 6,224,909  
US 6,238,703  
US 6,322,813  
US 6,354,728  
US 6,379,706  
US 6,387,404  
US 6,449,869  
US 6,586,010

EP 0 701 815  
(with English abstract)

Discloses a matrix type of controlled release  
pharmaceutical tablet.

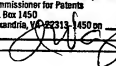
EP 0 378 404	Discloses controlled release tablet which contains a hydrogel.
WO 91/18590	Discloses a process for the manufacture of porous cellulose particles.
WO 93/07859	Discloses a process for making pharmaceutical pellets.
WO 94/28882	Discloses a tablet made up of two or more populations pellets.
WO 00/16886 (with English abstract)	Discloses a device consisting of a rotor chamber for the production of pourable products.
ZA 2000169	Discloses preparation of pellets with high water solubility.

Respectfully submitted,

  
James V. Costigan  
Registration No. 25,669

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PTO/SB/06A (09-06)

Approved for use through 03/31/2007. OMB 0651-0031  
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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 4

## **Complete if Known**

Application Number	10/728,196
Filing Date	December 4, 2003
First Named Inventor	Orapin P. Rubino
Art Unit	1615
Examiner Name	---
Attorney Docket Number	1289-002

## **U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US Re. 32,307	12-16-1986	Werner Glatt, et al	
	AB	US 4,292,298	09-29-1981	Adrian F. Davis	
	AC	US 4,588,366	05-13-1986	Werner Glatt, et al	
	AD	US 5,284,678	02-08-1994	Glatt GmbH	
	AE	US 6,387,404	05-14-2002	Borjabin Oshlack, et al	
	AF	US 5,753,265	05-19-1998	Astra Aktibolag	
	AG	US 6,183,776	02-06-2001	Astra Aktibolag	
	AH	US 4,783,337	11-08-1988	ALZA Corporation	
	AI	US 5,082,668	01-21-1992	ALZA Corporation	
	AJ	US 6,322,813	11-27-2001	Pharmacia AB	
	AK	US 4,617,191	10-14-1986	Glatt GmbH	
	AL	US 5,132,142	07-21-1992	Glatt GmbH	
	AM	US 5,637,320	06-10-1997	Elan Corporation	
	AN	US 5,817,338	10-06-1998	Astra Aktibolag	
	AO	US 4,994,279	02-19-1991	Aoki, Shigeru, et al	
	AP	US 5,783,215	07-21-1998	Arwidsson, Hans, et al	
	AQ	US 5,891,474	04-06-1999	Busetti, Cesare, et al	
	AR	US 6,077,544	06-20-2000	Debregeas, Patrice, et al	
	AS	US 4,292,298	09-29-1981	Davis, Adrian F.	

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	*†
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	AA	EP 0 378 404 A2	07-18-1990	Pfizer, Inc.		
	BB	ZA 20000169	01-17-2000	Gruenthal GmbH		
	CC	EP 0 701 815	03-20-1996	Alfatec Pharma GmbH	Abstract only	
	DD	WO 91/18590	12-12-1991	Pharmacia AB		
	EE	WO 00/16886	09-24-1998	Glatt Systemtechnik Dresd		
	FF	WO 94/28882	12-22-1994	Chih-Ming Chen		

Examiner Signature	/Gigi Huang/	Date Considered	12/17/2009
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 12

of 14

**Complete if Known**

Application Number	10/728,196
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First Named Inventor	Orapin P. Rubino
Art Unit	1615
Examiner Name	--
Attorney Docket Number	1289-002

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		Number/Kind Code <sup>2</sup> (if known)			
	AT	US- 4,820,521	04-11-1989	Donald E. Panoz, et al	
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	BH	US- 5,458,888	10-17-1995	Andrx Pharmaceuticals	
	BI	US- 5,549,912	08-27-1996	Euro-Celtique, S.A.	
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	BK	US- 5,807,579	09-15-1998	F.H. Faulding & Co. Ltd	
	BL	US- 5,807,583	09-15-1998	Henning Kristensen	

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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code <sup>3</sup> Number * Kind Code <sup>4</sup> (if known)			
		WO 93/07859	04-29-1993	Warner-Lambert Company	

Examiner Signature	/Gigi Huang/	Date Considered	12/17/2009
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	BM	US- 6,132,769	10-17-2000	Universiteit Gent	
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	BV	US- 5,958,458	09-28-1999	Dumex-Alpha A/S	
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		<b>First Named Inventor</b>	Orapin P. Rubino
		<b>Art Unit</b>	1615
		<b>Examiner Name</b>	--
<b>Sheet</b>	4	<b>of</b>	4
		<b>Attorney Docket Number</b>	1289-002

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A	International Search Report, March 19, 2004	
	B	International Search Report, September 6, 2005	
	C		
	D		
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	I		
	L		

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